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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,693	02/25/2002	Kouichi Oda	111480	8358

25944 7590 06/19/2003

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EXAMINER

GREENE, JASON M

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 06/19/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,693

Applicant(s)

ODA ET AL.

Examiner

Jason M. Greene

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,8-10,12 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 3-7, 11, and 13-17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 and 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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filter element formed by the three layers of fiber is removed from the support element, the first (11) and second (12) layers are seen as forming the mold for the third layer since the third layer is deposited onto the first and second layers.

With regard to claim 8, JP 8-38834 discloses the mold (12) and the fiber (13) being formed from the same material (polyester) in page 4, lines 6-12 of the English language translation.

With regard to claim 9, JP 8-38834 discloses the fiber (13) being deposited at a constant thickness onto the mold (12) in Figs. 1B, 3, and 6C.

4. Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Published Patent Application JP 8-38834.

JP 8-38834 discloses a filter comprising a mold (11,12), and fiber spun in a semi-molten state onto the mold, wherein the mold remains attached to spun fiber and functions as a structural member of the filter in Figs. 1-7 and page 1, line 1 to page 6, line 36 of the English language translation. The filter of JP 8-38834 is formed by depositing three layers (11,12,13) of semi-molten fibers successively onto a support element (2). Although the filter element formed by the three layers of fiber is removed from the support element, the first (11) and second (12) layers are seen as forming the mold for the third layer since the third layer is deposited onto the first and second layers.

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5. Claims 12 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Published Patent Application JP 8-38834.

With regard to claim 12, JP 8-38834 discloses a method for manufacturing a filter comprising the steps of spinning a fiber (13) in a semi-molten state onto a mold (12,13), and maintaining the mold attached to the spun fiber such that the mold functions as a filter structural member of the filter in Figs. 1-7 and page 1, line 1 to page 6, line 36 of the English language translation.

With regard to claim 18, JP 8-38834 discloses the mold (12) and the fiber (13) being formed from the same material (polyester) in page 4, lines 6-12 of the English language translation.

With regard to claim 19, JP 8-38834 discloses the fiber (13) being deposited at a constant thickness onto the mold (12) in Figs. 1B, 3, and 6C.

With regard to claim 20, JP 8-38834 discloses the mold being heated prior to spinning the fiber in a semi-molten state onto the mold in Figs. 1-7 and page 1, line 1 to page 6, line 36 of the English language translation. Since the mold (12) is formed by spinning semi-molten polymeric fibers, the mold is seen as being heated prior to spinning the fiber in a semi-molten state onto the mold. Since the fibers forming the

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mold are deposited only momentarily before the fibers (13), the mold is seen as still being hot when the fibers (13) are deposited on the mold (12).

Allowable Subject Matter

6. Claims 2-7, 11, and 13-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

With regard to claims 2-7 and 11, the prior art made of record does not teach or fairly suggest the filter of claim 1 or the filter of claim 10 wherein the mold includes a filter portion forming surface for forming a filter portion for filtering a fluid, and a frame which surrounds the filter portion forming surface.

With regard to claims 13-17, the prior art made of record does not teach or fairly suggest the method for manufacturing a filter of claim 10 wherein the mold includes a filter portion on which the fiber is spun, and a frame surrounding the filter portion.

Conclusion

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Takagaki et al. '827, Takagaki '920, Takagaki '544, Simm et al., Lefkowitz et al., Stemmer et al., and Giacovas references disclose similar filters.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Greene whose telephone number is (703) 308-6240. The examiner can normally be reached on Tuesday - Friday (7:00 AM to 5:30 PM).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (703) 308-1261. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Jason M. Greene
Examiner
Art Unit 1724



DUANE SMITH
PRIMARY EXAMINER


6-16-07

jmg
June 13, 2003